

Message

From: Smith, Peterj [Smith.Peterj@epa.gov]
Sent: 4/15/2019 7:58:44 PM
To: Courtnage, Robert [Courtnage.Robert@EPA.GOV]; Anderson, Steve [Anderson.Steve@epa.gov]; Winchester, Erik [Winchester.Erik@epa.gov]
CC: Kaczmarek, Chris [Kaczmarek.Chris@epa.gov]; Carmichael, Lea [Carmichael.Lea@epa.gov]; Fisher, Bethany [fisher.bethany@epa.gov]
Subject: RE: PRIORITY MON AM FW: Asbestos FRN OCSPF IO comments
Attachments: SNUR-SUMMARY section redo_355pm.docx

With minor refinements to

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Thanks!

NOTICE: If this electronic communication explains, justifies, or documents an official action or decision, it may be subject to federal records requirements. Federal employees should evaluate the contents of this message before deleting it.

Peter J. Smith | U.S. EPA | Office of Chemical Safety and Pollution Prevention

1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 | email smith.peterj@epa.gov

From: Courtnage, Robert
Sent: Monday, April 15, 2019 12:58 PM
To: Smith, Peterj <Smith.Peterj@epa.gov>; Anderson, Steve <Anderson.Steve@epa.gov>; Winchester, Erik <Winchester.Erik@epa.gov>
Cc: Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Carmichael, Lea <Carmichael.Lea@epa.gov>; Fisher, Bethany <fisher.bethany@epa.gov>
Subject: RE: PRIORITY MON AM FW: Asbestos FRN OCSPF IO comments
Importance: High

Hi All- Please find the latest of the draft of the FRN incorporating OCSPF IO (DAAs/AA) comments in the below Sharepoint link. The handwritten comments we received Friday PM are attached. Peter, for the time being I have commented that RCIS has suggested alternative text to the summary section (also attached).

Did you want to work directly with the OCSPF IO on that or add to the working draft, linked to below? Steve,

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

I am also copying Chris and Bethany for their awareness.

<https://usepa.sharepoint.com/:w:/r/sites/OCSPF/OPPT/npcd/FOB/asbestos/Shared%20Documents/SNUR/Final%20SNUR/OCSPF%20Review/Asbestos%20SNUR%20OCSPF%20IO%204-15-19.docx?d=w6ac0917c688e45b69c257b26e89e155e&csf=1&e=IXGboe>

-Robert

Robert T. Courtnage
Associate Chief
Fibers and Organics Branch
National Program Chemicals Division
Office of Pollution Prevention and Toxics
U.S. Environmental Protection Agency

ED_005636_00006056-00001

202.566.1081 (Desk)
202.740.2993 (Mobile)

From: Smith, Peterj
Sent: Monday, April 15, 2019 9:57 AM
To: Anderson, Steve <Anderson.Steve@epa.gov>; Winchester, Erik <Winchester.Erik@epa.gov>
Cc: Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Carmichael, Lea <Carmichael.Lea@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Mottley, Tanya <Mottley.Tanya@epa.gov>; Fisher, Bethany <fisher.bethany@epa.gov>; Groeneveld, Thomas <Groeneveld.Thomas@epa.gov>
Subject: RE: PRIORITY MON AM FW: Asbestos FRN OCSPP IO comments
Importance: High

Thanks Steve!

Ex. 5 Attorney Client (AC)

Best,
Peter

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Peter J. Smith | U.S. EPA | Office of Chemical Safety and Pollution Prevention
1200 Pennsylvania Ave., NW | Washington, DC 20460 | phone 202/564-0262 | email smith.peterj@epa.gov

From: Anderson, Steve
Sent: Monday, April 15, 2019 9:11 AM
To: Winchester, Erik <Winchester.Erik@epa.gov>
Cc: Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Carmichael, Lea <Carmichael.Lea@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Mottley, Tanya <Mottley.Tanya@epa.gov>; Fisher, Bethany <fisher.bethany@epa.gov>; Groeneveld, Thomas <Groeneveld.Thomas@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>
Subject: RE: PRIORITY MON AM FW: Asbestos FRN OCSPP IO comments

In terms of the 'restrictions' title and terminology, I would just reiterate a comment I'd made before: EPA has long characterized SNURs as notice requirements since it's true the prohibition is only pending EPA review. The idea is that a SNUR is a notice requirement and that any risk review or public health protections would come from EPA's actions upon review of a SNUN. My understanding is that EPA has done so to facilitate the use of SNURs (e.g., through frequent non-significance determinations with OMB) as a useful TSCA tool. So the stronger we represent a SNUR to be, the less effective those arguments may become. I think OPPT and RCS have interests in that issue that extend well beyond what's expedient for this SNUR.

I'm also interested in Ex. 5 Attorney Client (AC) Otherwise, I didn't see anything else that'd necessarily be tricky to resolve.

Steve Anderson | 202.564.3137
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From: Winchester, Erik
Sent: Friday, April 12, 2019 5:22 PM
To: Anderson, Steve <Anderson.Steve@epa.gov>
Cc: Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Carmichael, Lea <Carmichael.Lea@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Mottley, Tanya <Mottley.Tanya@epa.gov>; Fisher, Bethany <fisher.bethany@epa.gov>; Groeneveld, Thomas <Groeneveld.Thomas@epa.gov>
Subject: PRIORITY MON AM FW: Asbestos FRN OCSPP IO comments

Steve et al.— we just received the attached comments from the OCSPP IO (Erik B may be sending more) on the asbestos SNUR FRN. We need OGC to please review these ASAP Monday (I hope that is possible?) to help sort out what edits are ok and those that may be problematic. The OCSPP IO goal is to have **Ex. 5 Deliberative Process (DP)** We can touch base Mon AM.

Thanks,
Erik

Erik Winchester, Chief
Fibers & Organics Branch
USEPA/OCSPP/OPPT
202-564-6450

From: Blair, Susanna
Sent: Friday, April 12, 2019 5:05 PM
To: Winchester, Erik <Winchester.Erik@epa.gov>; Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Carmichael, Lea <Carmichael.Lea@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Mottley, Tanya <Mottley.Tanya@epa.gov>
Cc: Pierce, Alison <Pierce.Alison@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>
Subject: RE: Asbestos FRN

I believe these are Alex, Charlotte and Nancy's comments. Erik is looking at it now.

Page 1 – The bottom comment reads: **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP)

Page 18 – Bottom comment reads: **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP)

Susanna W. Blair, PhD
Special Assistant - Office of Pollution Prevention and Toxics
202.564.4371 (office) | 202.322.0538 (cell) | Blair.susanna@epa.gov

From: Winchester, Erik
Sent: Friday, April 12, 2019 4:59 PM
To: Blair, Susanna <Blair.Susanna@epa.gov>; Courtnage, Robert <Courtnage.Robert@EPA.GOV>; Carmichael, Lea <Carmichael.Lea@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Mottley, Tanya <Mottley.Tanya@epa.gov>
Cc: Pierce, Alison <Pierce.Alison@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>
Subject: RE: Asbestos FRN

Hi Susanna - the comments on page 1 and 18 are a bit cutoff so can they rescan/send? And so I understand things, these are comments just from Charlotte and the rest of OCSPF IO comments are coming Monday?

Erik

From: Blair, Susanna

Sent: Friday, April 12, 2019 4:41 PM

To: Courtnage, Robert <Courtage.Robert@EPA.GOV>; Carmichael, Lea <Carmichael.Lea@epa.gov>; Symmes, Brian <Symmes.Brian@epa.gov>; Mottley, Tanya <Mottley.Tanya@epa.gov>; Winchester, Erik <Winchester.Erik@epa.gov>

Cc: Pierce, Alison <Pierce.Alison@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>

Subject: Asbestos FRN

Hello,

Attached are handwritten comments from the AA's office. We were just given these this afternoon and I think there are some substantive comments here. We will let the OPPT IO of the timing of this and that you all will do what you can to get these done, with the understanding that it is 5 on Friday afternoon.

Thanks,
Susanna

Susanna W. Blair, PhD

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From: DC-WJCE-3410-M@domain.invalid <DC-WJCE-3410-M@domain.invalid>

Sent: Friday, April 12, 2019 5:01 PM

To: Blair, Susanna <Blair.Susanna@epa.gov>

Subject: